

United States Bankruptcy Court
Middle District of Tennessee

CDS Business Services, Inc., d/b/a Newte,
Plaintiff
America Cares Trust (ACT),
Defendant

Adv. Proc. No. 20-90140-RSM

CERTIFICATE OF NOTICE

District/off: 0650-3

User: slw0703

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Date Rcvd: Aug 23, 2021

Form ID: pdf001

Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 25, 2021:

Recip ID	Recipient Name and Address
dft	+ America Cares Trust (ACT), 5655 Granny White Pike, Brentwood, TN 37027-4101

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cc	*+	America Cares Trust (ACT), 5655 Granny White Pike, Brentwood, TN 37027-4101
cc	*+	America Cares Trust (ACT), 5655 Granny White Pike, Brentwood, TN 37027-4101
cd	*+	America Cares Trust (ACT), 5655 Granny White Pike, Brentwood, TN 37027-4101

TOTAL: 0 Undeliverable, 3 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 25, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 23, 2021 at the address(es) listed below:

Name	Email Address
DANIEL CHAMBERLIN FLEMING	on behalf of Creditor BANK OF AMERICA N.A. dfleming@wongfleming.com sshalloo@wongfleming.com
DANIEL HAYS PURYEAR	on behalf of Counter-Defendant CDS Business Services Inc., d/b/a Newtek Business Credit dpuryear@puryearlawgroup.com, paralegalgroup@puryearlawgroup.com
MEGAN REED SELIBER	on behalf of U.S. Trustee US TRUSTEE megan.seliber@usdoj.gov

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SAM J. MCALLESTER, III
on behalf of Defendant America Cares Trust (ACT) smcallester@bonelaw.com

US TRUSTEE
ustpreion08.na.ecf@usdoj.gov

WILLIAM JOSEPH HAYNES III
on behalf of Defendant America Cares Trust (ACT) whaynes@bonelaw.com lparker@bonelaw.com

TOTAL: 6

Dated: 8/20/2021



IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

In re:)	
)	Case No. 3:19-bk-1971
CAPSTONE PEDIATRICS, PLLC,)	
)	Chapter 7
Debtor.)	
_____)	
)	
CDS BUSINESS SERVICES, INC. d/b/a)	
NEWTEK BUSINESS CREDIT,)	
)	
Plaintiff,)	
v.)	Adv. Proc. No. 3:20-ap-90140
)	
AMERICA CARES TRUST d/b/a)	
CARENATION,)	
)	
Defendant.)	

**ORDER REGARDING MOTION TO FILE AMENDED
AND SUPPLEMENTAL COMPLAINT**

CDS Business Services, Inc. d/b/a Newtek Business Credit (“CDS”) has filed a motion for leave to file an amended and supplemental complaint against America Cares Trust d/b/a CareNation (“CareNation”). The Court orders as follows:

1. Any opposition to the motion must be filed by **September 3, 2021**.
2. If no timely response is filed, CDS shall submit an order granting the motion. In that event, counsel for CDS and CareNation shall confer and attempt to find a convenient and available time (after consultation with the Courtroom Deputy) for a further pretrial/scheduling conference to address how the litigation will move forward toward a resolution. If the parties are unable to reach an agreement in that regard, CDS shall file a motion requesting that such a conference be scheduled.

3. If a response is timely filed opposing the relief in the motion, a hearing will be conducted at **9:30 a.m. on September 14, 2021**, in Courtroom 1, Customs House, 701 Broadway, Nashville, Tennessee (unless circumstances arise resulting in a subsequent order converting it to a video or telephonic hearing).

4. If the hearing remains scheduled for in-person participation, any motion to appear by video or telephonically instead of in person shall be filed no later than **September 9, 2021**.

IT IS SO ORDERED.

This Order has been electronically signed. The Judge's signature and Court's seal appear at the top of the first page.
United States Bankruptcy Court.